

## REMARKS/ARGUMENT

The applicants' attorneys appreciate the Examiner's thorough search and remarks.

Claims 1-21 are in the application. Claim 21 has been withdrawn from consideration.

Claims 1 and 12 are independent.

Claims 1 and 12 have been rejected under 35 U.S.C. §103(a) over Baba et al., U.S. Patent No. 5,321,289 in view of Kim, U.S. Patent No. 5,574,299. Reconsideration is requested.

Claims 1 and 12 call for, in combination with other limitations, a plurality of trenches, "conductive gate bodies disposed within the interior of each of said trenches" and "at least one narrow conductive polysilicon gate strip" (claim 12) or "a plurality of narrow, spaced conductive gate strips" (claim 1) "extending across and contacting each of" the conductive gate bodies. It has been set forth that Baba et al. show each limitation in claims 1 and 12 except for a conductive strip as set out in claims 1 and 12. It has been set forth, however, that Kim shows such a strip. Specifically, it has been set forth that the polysilicon gate layer 132 as shown in Figs. 23A, 23B, and 24 constitutes a strip as set out in claims 1 and 12.

Referring to the specification of Kim, polysilicon layer 132 is a continuous layer which extends to the bottom of the trenches and, as set out clearly in the specification of Kim, surrounds the silicon pillar (stack 102, 100, 104). Col. 8, lines 49-52. Polysilicon layer 132, therefore, continuously follows and stretches along the surface contours of the silicon pillars including the walls and the bottom of the trenches. Polysilicon layer 132 is not a strip and clearly does not extend across the conductive gate bodies in the trenches. If the device of Baba et al. were to be modified to include the polysilicon layer 132 of Kim, the result would be a device that would include a continuous polysilicon layer extending from trench to trench, rather than a device which includes trenches filled with polysilicon gate material and at least one or a plurality of conductive strips extending across and in contact with the gate material in each trench as called for by claims 1 and 12. Reconsideration of claims 1 and 12 is requested.

Claims 2-11 depend from claim 1, and, therefore, include its limitations. Claims 13-20 depend from claim 12, and, therefore, include its limitations. These claims include other limitations, which in combination with those of their respective base claims are not shown or suggested by the art of record. Reconsideration is requested.

The application is believed to be in condition for allowance. Such action is earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on July 24, 2002:

Kourosh Salehi  
\_\_\_\_\_  
Name of applicant, assignee or  
Registered Representative  
Kourosh S. Salehi  
\_\_\_\_\_  
Signature  
July 24, 2002  
\_\_\_\_\_  
Date of Signature

Respectfully submitted,

Kourosh Salehi  
Kourosh Salehi  
Registration No.: 43,898  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700

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